

JAN 22 2018

DEPARTMENT OF
ENVIRONMENTAL QUALITY

January 22, 2018

CD18-0010

Mr. Scott T. Anderson
Director
Utah Division of Waste Management and Radiation Control
195 North 1950 West
Salt Lake City, Utah 84114-4880

Div of Waste Management
and Radiation Control

JAN 22 2018

DRC-2018-000841

Re: Radioactive Material License UT2300249: **Rescission and Replacement
Amendment Request**

Dear Mr. Anderson:

EnergySolutions rescinds its prior requests to amend Radioactive Material License UT2300249 via CD16-0190, CD17-0158 and CD17-0188 and herein requests the Utah Division of Waste Management and Radiation Control amend License Conditions 10, 57 and 62, as follows:

10. F. The Licensee may receive, store, transload, transfer and stage conveyances and packages of licensed material in the Licensee's Owner Controlled Area located within Section 29 of Township 1 South and Range 11 West, Tooele County, Utah. Disposal of licensed materials, opening of received packages, or accessing and removal of any licensed material from received packages is prohibited outside of Section 32.
57. A. The Licensee shall move incoming rail shipments into the Owner Controlled Restricted Area within fourteen (14) seven (7) days of arrival. While in the Owner Controlled Area, the Licensee shall document weekly confirmation of container integrity, ensure packages and conveyances remain appropriately placarded in accordance with 49 CFR 172.504 and include packages and conveyances in site security and radiation survey patrols. The Licensee shall ensure surety secured in accordance with Condition 73 is adequate to fund management of incoming shipments awaiting transfer into the Restricted Area (in accordance with UAC R313-25-31). Leaking conveyances or packages with exposed waste shall be immediately transferred into the Restricted Area for management and any impacts to the Owner Controlled Area promptly remediated. he sShipments may be returned to the generator carrier when management of the waste is not possible within the seven (7) forty-five (45) days of their transfer into the Owner Controlled Area-day period, unless additional time is approved by the Director of the Division.

57. B. Empty Empty outbound packages and conveyances released from the Restricted Area in accordance with Condition 27 may be stored in the Owner Controlled Area. While in the Owner Controlled Area, the Licensee shall ensure radiological hazards are appropriately posted in accordance with R313-15-902 and include the Owner Controlled Area boundary fencing, packages and conveyances in site security and radiation safety patrols. The Licensee shall ensure surety secured in accordance with Condition 73 is adequate to fund management of released packages and conveyances awaiting return to a generator for subsequent licensed material transport (in accordance with UAC R313-25-31). Empty outbound conveyances and packages shall be picked up by the local couriers rail service within fourteen (14) days of release transfer out of the Owner Controlled Area Restricted Area, unless additional time is approved by the Director of the Division.

~~C. Railcars that have been decontaminated and surveyed internally and externally and found meet the limits in Table 27 A do not have to be picked up by local rail service within fourteen (14) days.~~

~~D. The Licensee may perform the following activities on incoming shipments on rail lines within the Owner Controlled Area outside of Section 32, not including the main line adjacent to Section 32:~~

- ~~1. Visual inspection~~
- ~~2. Radiation level surveys~~
- ~~3. Affix labels~~
- ~~4. Conveyance transfer~~
- ~~5. Transload of closed packages that comply with the limits in Condition 52~~

62. A. All burial embankments, ~~and~~ waste storage areas, ~~and including~~ immediately adjacent drainage structures, constructed in accordance with Condition 10.A shall be controlled as Restricted Areas, surrounded by a six-foot chain link fence and posted in accordance with R313-15-902. Upon site closure, all permanent fences shall be six feet high chain link topped with three strand barbed wire, tip tension wire and twisted selvedge.

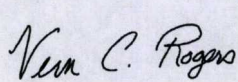
B. All areas constructed in accordance with Condition 10.F shall be Owner Controlled Areas, surrounded by a six-foot chain link fence and posted in accordance with Utah Code 23-20-14(d).



As discussed with Division staff on January 17, 2018, this Replacement Amendment Request harmonizes Conditions 10, 57 and 62 with the guidance received from the U.S. Nuclear Regulatory Commission¹ and the 2017 changes enacted to Utah Code 19-3-105 by Senate Bill 79. For the Division's information, approximate Section 29 location of the proposed Owner Controlled Area is highlighted on the enclosed Figure. Once amended, inspection and surveillance of packages and containers in the Owner Controlled Area that were not released from the Restricted Area for use in general commerce will be added to the Radiation Protection Program (CL-RS-PG-002), Radiation Safety Officer Inspections Procedure (CL-RS-PR-061), Radiological Surveys Procedure (CL-RS-PR-115) and Security Operations Protocol (CL-SE-PR-001). Additionally, even though economic incentives naturally encourage prompt management of all incoming shipments, a 45-day storage period is also herein proposed to facilitate extended facilitate maintenance and repair periods during which the Rotary Facility will be taken Out of Service.

In order to procure the necessary materials and allow for seasonal ground thaw, EnergySolutions requests it be allowed to continue operations under the Director's Section 29 Railcar Storage Variance Extension until July 1, 2018 to complete construction of the Owner Controlled Area fencing. Please contact me at (801) 649-2000 with any questions regarding this Replacement Amendment Request.

Sincerely,

 Vern C. Rogers
Jan 22 2018 11:34 AM

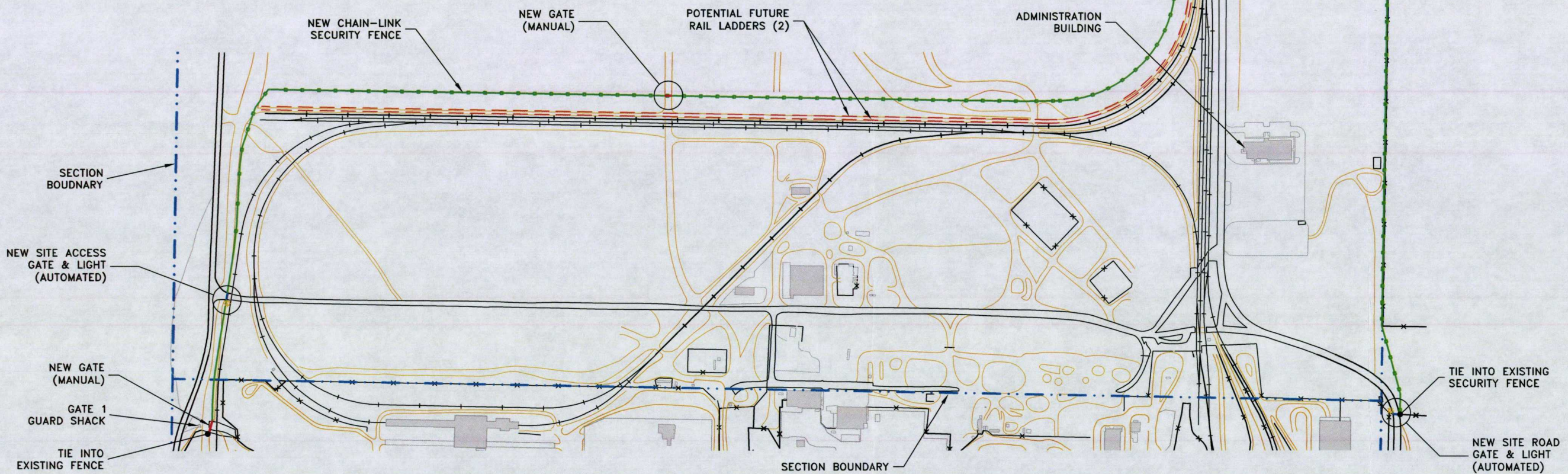
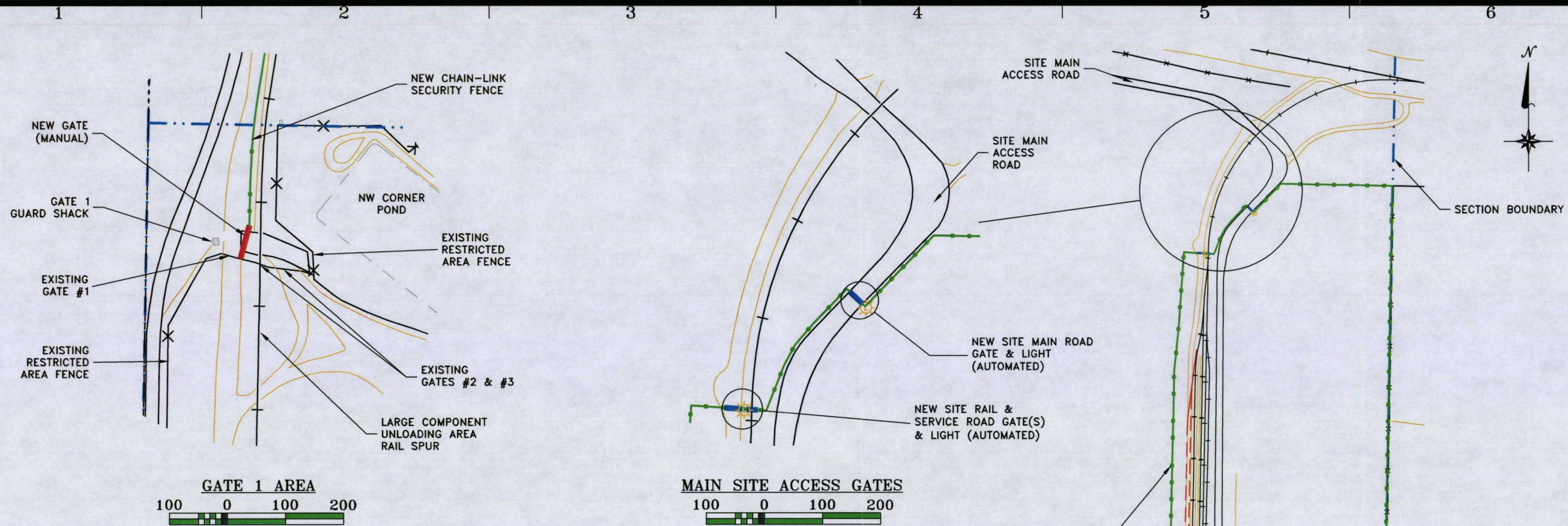


Vern C. Rogers
Manager, Compliance and Permitting

cc: Don Verbica, DWMRC
Boyd Imai, DWMRC

enclosure

¹ Collins, Daniel S. "Response to Utah Department of Environmental Quality Letter Dated September 19, 2016; Licensing and Control Requirements Following Use of a Conveyance as an Exclusive Use Shipment." Letter from U.S. Nuclear Regulatory Commission to Scott Anderson, Utah Division of Waste Management and Radiation Control. January 9, 2017.



E		BY DESCRIPTION OF CHANGE
D		
C		
B		
A		DATE

ENERGYSOLUTIONS

ENERGYSOLUTIONS "CLIVE" FACILITY

SECTION 29 OWNER CONTROLLED AREA

GENERAL FENCING PLAN

CLIVE, UTAH

DRAWN BY D. BOOTH REVIEWED BY V. ROGERS APPROVED BY NA	SCALE AS NOTED	DATE 01/22/18
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FIGURE 1